

REMARKS

Applicant has considered the Office Action mailed on August 20, 2003, and the references cited therein. This response cancels claims 23-67 and adds new claims 68-95; as a result, claims 68-95 remain pending in this Application.

Interview Summary

The Applicant thanks Examiner Wang for the telephone interview on August 3, 2003, with Applicant's representative J. M. Anglin (Reg. No. 24,916). The Examiner agreed that the previous Office action dated June 9, 2003 was incomplete, and agreed to issue a new non-final action.

Amendment to the Specification

In the Specification, the "Summary" section is deleted as no longer representing the claimed invention. This change introduces no new matter prohibited by 35 USC §132.

Patentability of the New Claims

Claims 56 and 60-62 were rejected under 35 USC §102 as anticipated by Beyda. Claims 23-55, 56-59, and 63-67 were rejected under 35 USC §103 as unpatentable over the previously cited reference to Beyda et al, either alone or with a secondary reference. These claims are replaced by new claims 68-95. Applicant reserves the right to antedate the Beyda and Cohn references.

The Office Action argues that substituting Beyda's single bidirectional communication link with Applicant's two separated unidirectional communication links is a design choice. The previous claims recited combinations including only two linked devices. In that minimal context, the freedom to choose source and sink modes independently of each other is feckless: the first device can only select the second device as a source and as a sink, and the second can only select the first. Actually, the network reconfigurability conferred by the invention is not realized in such a minimal system.

New independent claim 68 therefore poses a system where "at least three" devices in the network each have multiple source and sink modes. For each of these devices, each of its

multiple source modes identifies at least one other “mutually different device” to receive data from that device. Likewise, each sink mode of each device must identify at least one “other mutually different device” that sends data to that device. For the sake of an example, call the three devices of a minimal network T(elephone), C(omputer), and G(ateway). Then, since T must have more than one source mode, and each source mode must identify a mutually different one of the other devices, T’s source modes must identify at least C and G as recipients. Likewise, T’s sink modes must identify at least C and G as senders of data to T.

Claim 68 recites that the sources modes identify specific devices to receive data “without identifying any of the devices to provide data” to that device, and that the sink modes identify specific devices to provide data “without identifying any of the devices to receive data” from that device. That is, the source and sink modes are independent of each other. Any device can send data to any other device, and can receive data from any other device. In the above example of a minimal system according to the claim, T may source (send) streaming data to C, and may simultaneously sink (receive) streaming data from G. The example at page 7 line 23 to page 6 line 5 of the Specification illustrates such a configuration; in that example, data flows in the cycle T to C, C to G, and G back to T.

It is this capability that the system taught in Beyda fails to teach or suggest. Beyda can establish links between any selected pair of many telephones. However, Beyda cannot establish a configuration such as the example described above. Indeed, because Beyda links only telephone devices, such a configuration, even if possible, would require that telephone T1 speaks only to telephone T2, but T1 hears only what is said at telephone T3.

But Applicant follows a purpose different from Beyda’s. Applicant seeks to include non-telephone devices in the loop, such as computers for processing the signals (Specification, page 1 lines 29-32). Even if Beyda had considered this goal, his system could not accommodate it. Being limited to bidirectional links, such a hypothetical system would have T both talking and listening to C, and would have C both receiving and transmitting data with G, and G both receiving data from C and transmitting voice to T, in different formats. Another purpose of the present invention is to intermix streaming data in different formats, such as digitized voice and other data in the same configuration (Specification page 1 lines 27-29). Beyda does not suggest this possibility, or even a desire for it.

Claim 68 again declares the separation of the source and sink capabilities in reciting that the streaming controller selects among the source and sink modes “independently of each other.”

For these and other reasons, claim 68 clearly distinguishes any system taught or suggested by Beyda. None of the cited secondary references supply the deficiencies of the Beyda reference.

Dependent claims 59-81 incorporate all the recitations of parent claim 68, and add other features as well. For example, claim 69 specifies that one of the source modes for a device identifies “multiple ones” of the devices to receive “streaming” data from the same device. Beyda streams data only between pairs of telephones; any data that may flow to or from other devices, such as control signals, is not streamed data. In Table I of the Specification, phone 112 source mode 8 is an example of such a composite source mode. Claim 70 specifies that one of the sink modes for a device identifies “multiple ones” of the devices to provide “streaming” data to a single device, such as sink mode 10 for the phone 112. Again, Beyda has no similar capability for his streamed data.

Dependent claim 70 includes a computer “to perform a data processing function upon the streaming data.” As noted earlier, Beyda’s computer merely processes control data for routing of streaming data between pairs of telephones. It does not manipulate the streaming data itself according to any function, such as, for example, translation or recognition as mentioned on page 4 lines 9-14 of the Specification. Claims 72-74 lay out the source and sink modes to establish the streaming configuration of the example on page 7 line 23 to page 8 line 5, a configuration that Beyda cannot achieve. Claims 75-77 delineate source and sink modes for the example on page 8 lines 12-22, another specific configuration not attainable by Beyda. Claims 80 and 81 prevent the modes from changing at inopportune times during streaming. The cited Klug patent cannot redress the deficiencies of Beyda’s disclosure to reach these features.

Independent method claim 82 distinguishes the Beyda reference in a manner similar to that of claim 68. Multiple source and sink nodes are defined for each of “at least three” devices. Each of the source modes for a device and each of its sink nodes identify at least one “other mutually different” device. Therefore, the source modes for a single device must identify at least two of the devices in the network to receive data therefrom. Moreover, the source modes identify the recipient devices “without identifying any of the devices to provide data,” a

capability not suggested in Beyda. The sink nodes for a device must identify at least two devices for providing data thereto, again “without identifying any of the devices to receive data” from the same device. This separation of source and sink modes is reinforced in the step of selecting among the source and sink modes “independently of each other” for any of the devices. Beyda fails to teach or suggest these capabilities.

Dependent claims 83-91 include the recitations of 81, and thus define over Beyda for the same reasons. In addition, claims 83 and 84 specify that the source and sink nodes for a device identify “multiple ones” of the devices to receive or provide “streaming data” for the device. Again, Beyda cannot stream data in this manner. As to claim 86, no combination with Beyda reaches the combination of recitations in this claim and its parent. Claims 87 and 88 recite “perform a data processing operation upon the streaming data,” whereas Beyda manipulates only data ancillary to the streaming data, and does not teach the particular operations of claim 88. In claims 90 and 91, no combination of the Klug patent with Beyda attains the totality of recitations in these claims and their parent.

Article claim 92 distinguishes Beyda by including all the method recitations of claim 82. Dependent claims 93-95 include the recitations of claims 83, 84, and 87 respectively.

Conclusion

Applicant urges that the Application is now in condition for allowance, and respectfully requests reexamination under 35 USC §132. The Examiner is invited to telephone Applicant's attorney at (612) 373-6971 to facilitate prosecution of this Application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

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Date 24 Oct 2003

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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: MS Non-Fee Amendment, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 27 day of October, 2003.

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